

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by adding
5 Section 1-136 as follows:

6 (40 ILCS 5/1-136 new)

7 Sec. 1-136. Public corruption and other disqualifying
8 felony convictions.

9 (a) If a member or participant of a pension fund or
10 retirement system established under this Code is convicted of,
11 or pleads guilty to, a job-related felony, including, but not
12 limited to, violating paragraph (6) of subsection (a) of
13 Section 12-6, subsection (a) of Section 33-1, Section 33-3,
14 subsection (a) of Section 33E-7, or subsection (d) of Section
15 17-10.3 of the Criminal Code of 2012, or is sentenced for theft
16 of governmental property under paragraph (4.1), (5.1), or (6.1)
17 of subsection (b) of Section 16-1 of the Criminal Code of 2012,
18 then none of the benefits that are provided under this Code and
19 that are attributable to the service of that person shall be
20 paid.

21 (b) If a member or participant of a pension fund or
22 retirement system established under this Code is receiving an
23 annuity or pension from a pension fund or retirement system

1 established under this Code and is convicted of, or pleads
2 guilty to, a Class X or a Class 1 felony, other than a felony
3 requiring the forfeiture of that annuity or pension under
4 subsection (a) of this Section or any other provision of this
5 Code, then the board of trustees of that fund or system shall
6 suspend the payment of the annuity or pension for the duration
7 of that member's or participant's incarceration for that
8 offense. Upon completion of the term of incarceration for that
9 offense, the member or participant may seek reinstatement of
10 his or her annuity or pension by filing a request for
11 reinstatement of benefits with the applicable pension fund or
12 retirement system in the manner prescribed by that fund or
13 system.

14 (c) A person who forfeits his or her benefits under this
15 Section is entitled to a refund of his or her employee
16 contributions only if a refund of those contributions is
17 necessary in order for the pension fund or retirement system to
18 maintain qualified plan status under the federal Internal
19 Revenue Code of 1986.

20 (d) This Section applies without regard to whether the
21 member or participant is in service on or after the effective
22 date of this amendatory Act of the 98th General Assembly.